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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/699,506	10/31/2003	Robert H. Wollenberg	T-6298E (538-64)	3583	
75	7590 12/02/2005			EXAMINER	
Michael E. Carmen, Esq.			FREJD, RUSSELL WARREN		
M. CARMEN & Suite 400	& ASSOCIATES, PLLC	ART UNIT	PAPER NUMBER		
170 Old Countr	y Road	2128			
Mineola, NY	11501		DATE MAILED: 12/02/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary The MAILING DATE of this communication appears on the cover sheet with the correspondence address	Office Action Summary		Application No.	Applicant(s)				
Russell Freid The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. E identifies to liter may be valide under the proteins of 37 CFR 1.13(a). In several, hevery, may a reply be timely filed with the realized and of this communication. It is a series of 10 cm and 1			10/699,506	WOLLENBERG ET AL.				
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2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date	1) Notice 2) Notice 3) Inform	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449 or PTO/SB/08	Paper No(s)/Mail Da 5) Notice of Informal Pa	te				

U.S. Patent and Trademark Office PTOL-326 (Rev. 7-05) Serial Number: 10/699,506 Page 1

In re Application of: Wollenberg et al.

Examination of Application #10/699,506

1. Claims 1-11 of application 10/699,506, filed on 31-October-2003, are presented for examination.

Claim Rejections under 35 U.S.C. § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2.1 Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by the article authored by Waszkowycz et al., entitled *Large-Scale Virtual Screening for Discovering Leads in the Postgenomic Era*.
- 2.2 Waskowvcz teaches virtual screening, or in silico screening, for attracting increasing levels of interest in the pharmaceutical industry as a productive and cost-effective technology in the search for novel lead compounds [p. 360, Abstract](Preamble of claim 1);

modeling in silico a plurality of component molecular models [p. 361, col. 1, 2nd par. and col. 2, 3rd par.](applicant's step a);

deriving molecular characteristics (descriptors) for each of the molecular models [p. 369, 4th par.](applicant's step b);

analyzing large compound collections in order to prioritize compounds for synthesis or assay [p. 361, col. 2, 4th par.](applicant's formulating in step c);

In re Application of: Wollenberg et al.

progressively optimizing the leads to yield compounds with improved potency, and eventually improved efficacy [p. 361, col. 1, 1st par.](applicant's steps d and e).

Page 2

In regard to claim 5, a large database [p. 362, col. 2, 3rd par.](applicant's combinatorial library database.

Claim Objections

3. Claims 2-4 and 6-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Allowed Claims

4. Claims 10 and 11 are deemed allowable over the prior art of record at this time.

Response Guidelines

- 5. A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the date of this letter. Failure to respond within the period for response will cause the application to become abandoned (see MPEP 710.02, 710.02(b)).
- 5.1 Any response to the Examiner in regard to this non-final action should be

directed to: Russell Frejd, telephone number (571) 272-3779, Monday-Friday

from 0530 to 1400 ET, or the examiner's supervisor, Kamini Shah, telephone number (571) 272-2279. Inquires of a general nature or relating to the status of this application should be directed to the TC2100

Group Receptionist (571) 272-2100.

mailed to: Commissioner of Patents and Trademarks

P.O. Box 1450, Alexandria, VA 22313-1450

Serial Number: 10/699,506

In re Application of: Wollenberg et al.

or faxed to: (571) 273-8300

Hand-delivered responses should be brought to the Customer Service Window, Randolph Building, 401 Dulany Street, Alexandria, VA, 22314.

Date: 28-November-2005

RUSSELL FREJD PRIMARY EXAMINER